

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1, 2 and 4-9 are pending in this application. No claim amendments are presented, thus no new matter is added.

In the Office Action, the drawings are objected to under 37 C.F.R. § 1.83(a); and Claims 1, 2 and 4-9 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with both the written description and enablement requirements.

The Office Action objects to the drawings under 37 C.F.R. § 1.83(a), asserting that the claim limitation of “a second radio station configured to carry out the multicast communication with **a second mobile station belonging to the specific multicast group**” is not shown in the drawings. Applicants respectfully traverse this objection.

Figs. 1-2 and p. 6, ll. 19-29 of the specification disclose a configuration in which “the base stations 100a to 100g may transmit common information to the mobile stations 200a to 200l joining in (belonging to) the predetermined multicast group over the plurality of areas 300a to 300g.” Thus, Figs. 1 and 2 show a configuration in which a plurality of base stations (e.g., first radio station 100a, second radio station 100b, etc.) respectively transmit the same multicast information to a plurality of mobile stations (e.g., first mobile station 200a, second mobile station 200b, etc.), which belong to the same specific multicast group. At least Figs. 1 and 2, therefore, show the claimed feature of “a second radio station configured to carry out the multicast communication with a second mobile station belonging to the specific multicast group”.

Accordingly, Applicants respectfully request that the objection to the drawings under 37 C.F.R. § 1.83(a) be withdrawn.

The Office Action also rejects Claims 1, 2 and 4-9 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement and written description requirements. More particularly, the Office Action asserts that the specification fails to provide adequate support for the claimed features directed to “a second radio station configured to carry out the multicast communication with a second mobile station belonging to the specific multicast group” and “a communication quality acquirer configured to acquire ... a communication quality of a signal transmitted from the second radio station to the second mobile station belonging to the specific multicast group”.

Regarding the rejection directed to “a second radio station configured to carry out the multicast communication with a second mobile station belonging to the specific multicast group”, the specification and drawings, at least at Figs. 1-2 and p. 6, l. 19 – p. 7, l. 11 clearly provide support for this claimed feature. As noted above, “the base stations 100a to 100g may transmit common information to the mobile stations 200a to 200l joining in (belonging to) the predetermined multicast group over the plurality of areas 300a to 300g.” The specification, at Fig. 3 and pp. 7-10, then describes specific configurations of each of the radio stations and mobile stations in such a way as to enable any person skilled in the art to make and use the invention.

As to the claimed features directed to the first radio station including “a communication quality acquirer configured to ... acquire a communication quality of a signal transmitted from the second radio station to the second mobile station belonging to the specific multicast group”, p. 9, l. 8 – p. 10, l. 1 of the specification discloses that the transmitting and receiving unit 110 of the base station 100a, which is capable of transmitting and receiving signals to and from the radio network controller 50, receives communication quality transmitted from each of the mobile stations 200a to 200l, which are serviced by base stations other than base station 100a, and stores the received communication quality in the

communication quality database 120. The communication quality database 120 of the base station 100a is configured to store the communication quality measured at each of the mobile stations 200a to 200l. Thus, it is clear that the first mobile station (i.e., mobile station 100a) acquires a communication quality of a signal transmitted from the second radio station (e.g., base stations 100b to 100g) to the second mobile station (e.g., 200b to 200l) belonging to the specific multicast group. Further, the base station's ability to communicate with the radio network controller 50 via the transmitting and receiving unit 110 allows for the exchange of such information between base stations. Therefore, the specification does describe the claimed feature of "a communication quality acquirer configured to ... acquire a communication quality of a signal transmitted from the second radio station to the second mobile station belonging to the specific multicast group" in a manner so as to enable any person skilled in the art to which it pertains to make and use the same.

Accordingly, Applicants respectfully request that the rejection of Claims 1, 2 and 4-9 are rejected under 35 U.S.C. § 112, first paragraph, be withdrawn.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

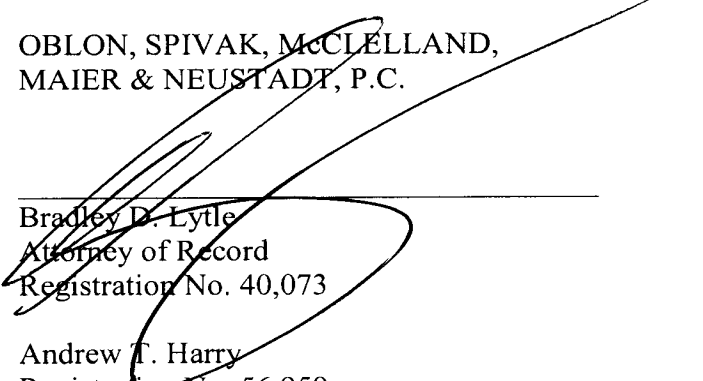
Consequently, for the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, MCCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Andrew T. Harry
Registration No. 56,959